## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

NIKKI RIVERA, individually and for	)	
others similarly situated,	)	
	)	
Plaintiff,	)	No. 3:20-cv-00806
	)	JUDGE RICHARDSON
v.	)	
	)	
HEALTHTRUST WORKFORCE	)	
SOLUTIONS, LLC,	)	
	)	
Defendant.		

## **ORDER**

Pending before the Court is Plaintiff's Motion for Collective Action Certification and Expedited Court-facilitated Notice Pursuant to 29 U.S.C. § 216(b) (Doc. No. 33, "Motion"). Therein, Plaintiff moves for conditional class certification under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq*.

In the Court's experience, the parties in similar FLSA cases routinely enter into an agreement regarding conditional certification and notice so as to avoid unnecessary and time-consuming motion practice. The Court strongly encourages the parties to enter into an appropriate stipulation in this case, and the parties are directed to negotiate in good faith toward that end.

The Court understands that a defendant's stipulation of conditional certification is not in any way a concession that decertification in the future would be inappropriate or a waiver of any right to pursue decertification. On the other hand, a defendant of course is entitled to oppose conditional certification, and if Defendant does so here, the Court will consider the Motion on the merits and irrespective of Defendant's decision to decline to stipulate to conditional certification.

Accordingly, by September 14, 2021, the parties shall file a joint notice advising the Court whether they have entered into a stipulation and, if so, shall provide a copy of the stipulation for

the Court's review.

Defendant's time to respond to the Motion is stayed pending the filing of the abovereferenced stipulation or notice to the Court. In the event the parties are unable to reach agreement on conditional certification, Defendant's opposition shall be due September 28, 2021, and

Plaintiff's (optional) reply shall be due October 5, 2021. The Court will consider extensions to

these dates upon an appropriate motion.

IT IS SO ORDERED.

ELI RICHARDSON

UNITED STATES DISTRICT JUDGE